

*Private Members' Business*

Here we have a situation of three strikes and you are out. In my view this started in California where people said one day: "We have to do something about this crime situation we have. Perpetrators do not seem to get punished for it. We have to somehow set the stage so that people know there is an ultimate sanction for doing wrong".

People who have spoken against the notion of three strikes say wait a minute, what is wrong with one strike and you are out? Why should we allow three strikes? Why should it not be one strike and you are out?

• (1840)

There is a good deal of validity to this because when I agreed to speak to this bill, I refreshed my memory on some of the articles I read about, three strikes and you are out.

One of the things I read was with the three strikes and you are out law in place, very often a perpetrator would have absolutely nothing to lose when making that third offence because the third strike was life.

While I am speaking in support of the bill and in support of my colleague, I do so in the full understanding there is a good deal of reservation among those who support the bill and who do not support the bill but for very different reasons.

The one thing people have in common when they are talking about this is the motivation to get us into a three strikes and you are out bill in the first place. There seems to be a sense of frustration with the criminal justice system in that there does not seem to be the kind of sanctions against wrongdoing which would prevent more wrongdoing.

It is almost as though society has become inured to the fact that there are people who are not good citizens, that we are prepared to accept antisocial behaviour and violent behaviour and say this is a fact of life and we have to accept it.

If we society take that view then the member is right, we will have to accept it because we will get a lot more of it. This bill speaks to that motivation in society at large saying do something about it.

An earlier speaker suggested perhaps incarceration was not the answer but then, what is? If incarceration does not make the perpetrator better, at least it protects citizens.

Our responsibility as legislators is to put the rights of the victims ahead of the rights of the criminals. The balance of doubt has to lie in favour of the innocent victim. The balance of doubt should no longer lie in favour of the perpetrator.

**The Acting Speaker (Mr. Kilger):** Before the member for Esquimalt—Juan de Fuca can seek the floor again, recognizing he has already spoken to his motion, and before I can consider right of reply I must first seek if anyone else in the House wishes to participate.

Under right of reply the member for Esquimalt—Juan de Fuca will be the last person to speak. No one else will be entitled to speak after his intervention. Is that agreed?

**Some hon. members:** Agreed.

**Mr. Martin (Esquimalt—Juan de Fuca):** Mr. Speaker, I thank everybody who made an intervention on the bill, wittingly or unwittingly, particularly my friend from Edmonton South-west who was kind enough to second the bill and speak eloquently on it.

I will address some of the concerns. We hate to admit it but there are people who have a total and utter disrespect for life and other people. They offend and reoffend again and again. The purpose of this three strikes and you are out bill, Bill C-301, was to protect innocent civilians from those individuals who by their actions have shown a complete disregard for society.

These individuals are not rehabilitatable because they have had their chance. The hon. member from the government made some very good points. He said we have in our courts right now sentences for offences in this bill. However, these sentences are not being applied by our courts. That is one of the primary purposes of the bill.

If the courts were enacting these sentences, if they were applying the available sentences to the individuals who were committing these violent acts against innocent civilians, we would not need this bill. We would not have needed in the United States and we would not need it here. The reality of life is we do need it because the courts are failing to enact those laws already there.

Whether we are speaking about these violent offences or the use of firearms in committing offences, they are not being applied. People commit firearms offences and they have those offences plea bargained away to get an expeditious conviction on another offence. That is not law, that is not justice, that is not protecting innocent civilians, which is why I proposed this.

I also put forth reasons the bill is good for Canada why it would be cost effective. I hope the justice minister, members on the committee and members of the House take it upon themselves to look at enacting a three strikes and you are out bill or a modification thereof for the safety of all Canadians.

The member from the Bloc Quebecois mentioned throwing the key away. I ask her and anybody else who disagrees with it to go into jails to speak with individuals who have committed many offences and to speak to the victims of violent offences. They will have a different opinion.

I move:

That this bill be referred to the Standing Committee on Justice and Legal Affairs and that accordingly the bill be withdrawn.